



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB2999

Introduced 2/16/2023, by Rep. Bradley Fritts

#### SYNOPSIS AS INTRODUCED:

5 ILCS 140/7.5	
430 ILCS 65/8	from Ch. 38, par. 83-8
430 ILCS 65/4.1 rep.	
720 ILCS 5/24-1	from Ch. 38, par. 24-1
720 ILCS 5/24-1.9 rep.	
720 ILCS 5/24-1.10 rep.	

Amends the Criminal Code of 2012. Repeals amendatory provisions of the Criminal Code of 2012 added by Public Act 102-1116 making it unlawful, beginning January 1, 2024, for any person within the State to knowingly possess an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge, with exemptions. Repeals provisions added by Public Act 102-1116 that make it unlawful for any person within the State to knowingly manufacture, deliver, sell, purchase, or cause to be manufactured, delivered, sold, or purchased a large capacity ammunition feeding device, with specified exemptions. Repeals amendatory provisions of the Criminal Code of 2012 that prohibit the manufacture, possession, sale, or offer to sell, purchase, manufacture, import, transfer, or use any device, part, kit, tool, accessory, or combination of parts that is designed to and functions to increase the rate of fire of a semiautomatic firearm above the standard rate of fire for semiautomatic firearms that is not equipped with that device, part, or combination of parts. Repeals amendatory provisions of the Freedom of Information Act added by Public Act 102-1116 that exempt from disclosure under the Act certain information concerning assault weapons endorsements received by the Illinois State Police. Effective immediately.

LRB103 30312 RLC 56740 b

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Freedom of Information Act is amended by  
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

7 Sec. 7.5. Statutory exemptions. To the extent provided for  
8 by the statutes referenced below, the following shall be  
9 exempt from inspection and copying:

10 (a) All information determined to be confidential  
11 under Section 4002 of the Technology Advancement and  
12 Development Act.

13 (b) Library circulation and order records identifying  
14 library users with specific materials under the Library  
15 Records Confidentiality Act.

16 (c) Applications, related documents, and medical  
17 records received by the Experimental Organ Transplantation  
18 Procedures Board and any and all documents or other  
19 records prepared by the Experimental Organ Transplantation  
20 Procedures Board or its staff relating to applications it  
21 has received.

22 (d) Information and records held by the Department of  
23 Public Health and its authorized representatives relating

1 to known or suspected cases of sexually transmissible  
2 disease or any information the disclosure of which is  
3 restricted under the Illinois Sexually Transmissible  
4 Disease Control Act.

5 (e) Information the disclosure of which is exempted  
6 under Section 30 of the Radon Industry Licensing Act.

7 (f) Firm performance evaluations under Section 55 of  
8 the Architectural, Engineering, and Land Surveying  
9 Qualifications Based Selection Act.

10 (g) Information the disclosure of which is restricted  
11 and exempted under Section 50 of the Illinois Prepaid  
12 Tuition Act.

13 (h) Information the disclosure of which is exempted  
14 under the State Officials and Employees Ethics Act, and  
15 records of any lawfully created State or local inspector  
16 general's office that would be exempt if created or  
17 obtained by an Executive Inspector General's office under  
18 that Act.

19 (i) Information contained in a local emergency energy  
20 plan submitted to a municipality in accordance with a  
21 local emergency energy plan ordinance that is adopted  
22 under Section 11-21.5-5 of the Illinois Municipal Code.

23 (j) Information and data concerning the distribution  
24 of surcharge moneys collected and remitted by carriers  
25 under the Emergency Telephone System Act.

26 (k) Law enforcement officer identification information

1 or driver identification information compiled by a law  
2 enforcement agency or the Department of Transportation  
3 under Section 11-212 of the Illinois Vehicle Code.

4 (l) Records and information provided to a residential  
5 health care facility resident sexual assault and death  
6 review team or the Executive Council under the Abuse  
7 Prevention Review Team Act.

8 (m) Information provided to the predatory lending  
9 database created pursuant to Article 3 of the Residential  
10 Real Property Disclosure Act, except to the extent  
11 authorized under that Article.

12 (n) Defense budgets and petitions for certification of  
13 compensation and expenses for court appointed trial  
14 counsel as provided under Sections 10 and 15 of the  
15 Capital Crimes Litigation Act. This subsection (n) shall  
16 apply until the conclusion of the trial of the case, even  
17 if the prosecution chooses not to pursue the death penalty  
18 prior to trial or sentencing.

19 (o) Information that is prohibited from being  
20 disclosed under Section 4 of the Illinois Health and  
21 Hazardous Substances Registry Act.

22 (p) Security portions of system safety program plans,  
23 investigation reports, surveys, schedules, lists, data, or  
24 information compiled, collected, or prepared by or for the  
25 Department of Transportation under Sections 2705-300 and  
26 2705-616 of the Department of Transportation Law of the

1 Civil Administrative Code of Illinois, the Regional  
2 Transportation Authority under Section 2.11 of the  
3 Regional Transportation Authority Act, or the St. Clair  
4 County Transit District under the Bi-State Transit Safety  
5 Act.

6 (q) Information prohibited from being disclosed by the  
7 Personnel Record Review Act.

8 (r) Information prohibited from being disclosed by the  
9 Illinois School Student Records Act.

10 (s) Information the disclosure of which is restricted  
11 under Section 5-108 of the Public Utilities Act.

12 (t) All identified or deidentified health information  
13 in the form of health data or medical records contained  
14 in, stored in, submitted to, transferred by, or released  
15 from the Illinois Health Information Exchange, and  
16 identified or deidentified health information in the form  
17 of health data and medical records of the Illinois Health  
18 Information Exchange in the possession of the Illinois  
19 Health Information Exchange Office due to its  
20 administration of the Illinois Health Information  
21 Exchange. The terms "identified" and "deidentified" shall  
22 be given the same meaning as in the Health Insurance  
23 Portability and Accountability Act of 1996, Public Law  
24 104-191, or any subsequent amendments thereto, and any  
25 regulations promulgated thereunder.

26 (u) Records and information provided to an independent

1 team of experts under the Developmental Disability and  
2 Mental Health Safety Act (also known as Brian's Law).

3 (v) Names and information of people who have applied  
4 for or received Firearm Owner's Identification Cards under  
5 the Firearm Owners Identification Card Act or applied for  
6 or received a concealed carry license under the Firearm  
7 Concealed Carry Act, unless otherwise authorized by the  
8 Firearm Concealed Carry Act; and databases under the  
9 Firearm Concealed Carry Act, records of the Concealed  
10 Carry Licensing Review Board under the Firearm Concealed  
11 Carry Act, and law enforcement agency objections under the  
12 Firearm Concealed Carry Act.

13 (v-5) Records of the Firearm Owner's Identification  
14 Card Review Board that are exempted from disclosure under  
15 Section 10 of the Firearm Owners Identification Card Act.

16 (w) Personally identifiable information which is  
17 exempted from disclosure under subsection (g) of Section  
18 19.1 of the Toll Highway Act.

19 (x) Information which is exempted from disclosure  
20 under Section 5-1014.3 of the Counties Code or Section  
21 8-11-21 of the Illinois Municipal Code.

22 (y) Confidential information under the Adult  
23 Protective Services Act and its predecessor enabling  
24 statute, the Elder Abuse and Neglect Act, including  
25 information about the identity and administrative finding  
26 against any caregiver of a verified and substantiated

1 decision of abuse, neglect, or financial exploitation of  
2 an eligible adult maintained in the Registry established  
3 under Section 7.5 of the Adult Protective Services Act.

4 (z) Records and information provided to a fatality  
5 review team or the Illinois Fatality Review Team Advisory  
6 Council under Section 15 of the Adult Protective Services  
7 Act.

8 (aa) Information which is exempted from disclosure  
9 under Section 2.37 of the Wildlife Code.

10 (bb) Information which is or was prohibited from  
11 disclosure by the Juvenile Court Act of 1987.

12 (cc) Recordings made under the Law Enforcement  
13 Officer-Worn Body Camera Act, except to the extent  
14 authorized under that Act.

15 (dd) Information that is prohibited from being  
16 disclosed under Section 45 of the Condominium and Common  
17 Interest Community Ombudsperson Act.

18 (ee) Information that is exempted from disclosure  
19 under Section 30.1 of the Pharmacy Practice Act.

20 (ff) Information that is exempted from disclosure  
21 under the Revised Uniform Unclaimed Property Act.

22 (gg) Information that is prohibited from being  
23 disclosed under Section 7-603.5 of the Illinois Vehicle  
24 Code.

25 (hh) Records that are exempt from disclosure under  
26 Section 1A-16.7 of the Election Code.

1           (ii) Information which is exempted from disclosure  
2 under Section 2505-800 of the Department of Revenue Law of  
3 the Civil Administrative Code of Illinois.

4           (jj) Information and reports that are required to be  
5 submitted to the Department of Labor by registering day  
6 and temporary labor service agencies but are exempt from  
7 disclosure under subsection (a-1) of Section 45 of the Day  
8 and Temporary Labor Services Act.

9           (kk) Information prohibited from disclosure under the  
10 Seizure and Forfeiture Reporting Act.

11           (ll) Information the disclosure of which is restricted  
12 and exempted under Section 5-30.8 of the Illinois Public  
13 Aid Code.

14           (mm) Records that are exempt from disclosure under  
15 Section 4.2 of the Crime Victims Compensation Act.

16           (nn) Information that is exempt from disclosure under  
17 Section 70 of the Higher Education Student Assistance Act.

18           (oo) Communications, notes, records, and reports  
19 arising out of a peer support counseling session  
20 prohibited from disclosure under the First Responders  
21 Suicide Prevention Act.

22           (pp) Names and all identifying information relating to  
23 an employee of an emergency services provider or law  
24 enforcement agency under the First Responders Suicide  
25 Prevention Act.

26           (qq) Information and records held by the Department of

1 Public Health and its authorized representatives collected  
2 under the Reproductive Health Act.

3 (rr) Information that is exempt from disclosure under  
4 the Cannabis Regulation and Tax Act.

5 (ss) Data reported by an employer to the Department of  
6 Human Rights pursuant to Section 2-108 of the Illinois  
7 Human Rights Act.

8 (tt) Recordings made under the Children's Advocacy  
9 Center Act, except to the extent authorized under that  
10 Act.

11 (uu) Information that is exempt from disclosure under  
12 Section 50 of the Sexual Assault Evidence Submission Act.

13 (vv) Information that is exempt from disclosure under  
14 subsections (f) and (j) of Section 5-36 of the Illinois  
15 Public Aid Code.

16 (ww) Information that is exempt from disclosure under  
17 Section 16.8 of the State Treasurer Act.

18 (xx) Information that is exempt from disclosure or  
19 information that shall not be made public under the  
20 Illinois Insurance Code.

21 (yy) Information prohibited from being disclosed under  
22 the Illinois Educational Labor Relations Act.

23 (zz) Information prohibited from being disclosed under  
24 the Illinois Public Labor Relations Act.

25 (aaa) Information prohibited from being disclosed  
26 under Section 1-167 of the Illinois Pension Code.

1 (bbb) Information that is prohibited from disclosure  
2 by the Illinois Police Training Act and the Illinois State  
3 Police Act.

4 (ccc) Records exempt from disclosure under Section  
5 2605-304 of the Illinois State Police Law of the Civil  
6 Administrative Code of Illinois.

7 (ddd) Information prohibited from being disclosed  
8 under Section 35 of the Address Confidentiality for  
9 Victims of Domestic Violence, Sexual Assault, Human  
10 Trafficking, or Stalking Act.

11 (eee) Information prohibited from being disclosed  
12 under subsection (b) of Section 75 of the Domestic  
13 Violence Fatality Review Act.

14 (fff) Images from cameras under the Expressway Camera  
15 Act. This subsection (fff) is inoperative on and after  
16 July 1, 2023.

17 (ggg) Information prohibited from disclosure under  
18 paragraph (3) of subsection (a) of Section 14 of the Nurse  
19 Agency Licensing Act.

20 ~~(hhh) Information submitted to the Department of State~~  
21 ~~Police in an affidavit or application for an assault~~  
22 ~~weapon endorsement, assault weapon attachment endorsement,~~  
23 ~~.50 caliber rifle endorsement, or .50 caliber cartridge~~  
24 ~~endorsement under the Firearm Owners Identification Card~~  
25 ~~Act.~~

26 (Source: P.A. 101-13, eff. 6-12-19; 101-27, eff. 6-25-19;

1 101-81, eff. 7-12-19; 101-221, eff. 1-1-20; 101-236, eff.  
2 1-1-20; 101-375, eff. 8-16-19; 101-377, eff. 8-16-19; 101-452,  
3 eff. 1-1-20; 101-466, eff. 1-1-20; 101-600, eff. 12-6-19;  
4 101-620, eff. 12-20-19; 101-649, eff. 7-7-20; 101-652, eff.  
5 1-1-22; 101-656, eff. 3-23-21; 102-36, eff. 6-25-21; 102-237,  
6 eff. 1-1-22; 102-292, eff. 1-1-22; 102-520, eff. 8-20-21;  
7 102-559, eff. 8-20-21; 102-813, eff. 5-13-22; 102-946, eff.  
8 7-1-22; 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23.)

9 Section 10. The Firearm Owners Identification Card Act is  
10 amended by changing Section 8 as follows:

11 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

12 Sec. 8. Grounds for denial and revocation. The Illinois  
13 State Police has authority to deny an application for or to  
14 revoke and seize a Firearm Owner's Identification Card  
15 previously issued under this Act only if the Illinois State  
16 Police finds that the applicant or the person to whom such card  
17 was issued is or was at the time of issuance:

18 (a) A person under 21 years of age who has been  
19 convicted of a misdemeanor other than a traffic offense or  
20 adjudged delinquent;

21 (b) This subsection (b) applies through the 180th day  
22 following July 12, 2019 (the effective date of Public Act  
23 101-80). A person under 21 years of age who does not have  
24 the written consent of his parent or guardian to acquire

1 and possess firearms and firearm ammunition, or whose  
2 parent or guardian has revoked such written consent, or  
3 where such parent or guardian does not qualify to have a  
4 Firearm Owner's Identification Card;

5 (b-5) This subsection (b-5) applies on and after the  
6 181st day following July 12, 2019 (the effective date of  
7 Public Act 101-80). A person under 21 years of age who is  
8 not an active duty member of the United States Armed  
9 Forces or the Illinois National Guard and does not have  
10 the written consent of his or her parent or guardian to  
11 acquire and possess firearms and firearm ammunition, or  
12 whose parent or guardian has revoked such written consent,  
13 or where such parent or guardian does not qualify to have a  
14 Firearm Owner's Identification Card;

15 (c) A person convicted of a felony under the laws of  
16 this or any other jurisdiction;

17 (d) A person addicted to narcotics;

18 (e) A person who has been a patient of a mental health  
19 facility within the past 5 years or a person who has been a  
20 patient in a mental health facility more than 5 years ago  
21 who has not received the certification required under  
22 subsection (u) of this Section. An active law enforcement  
23 officer employed by a unit of government or a Department  
24 of Corrections employee authorized to possess firearms who  
25 is denied, revoked, or has his or her Firearm Owner's  
26 Identification Card seized under this subsection (e) may

1 obtain relief as described in subsection (c-5) of Section  
2 10 of this Act if the officer or employee did not act in a  
3 manner threatening to the officer or employee, another  
4 person, or the public as determined by the treating  
5 clinical psychologist or physician, and the officer or  
6 employee seeks mental health treatment;

7 (f) A person whose mental condition is of such a  
8 nature that it poses a clear and present danger to the  
9 applicant, any other person or persons, or the community;

10 (g) A person who has an intellectual disability;

11 (h) A person who intentionally makes a false statement  
12 in the Firearm Owner's Identification Card application ~~or~~  
13 ~~endorsement affidavit;~~

14 (i) A noncitizen who is unlawfully present in the  
15 United States under the laws of the United States;

16 (i-5) A noncitizen who has been admitted to the United  
17 States under a non-immigrant visa (as that term is defined  
18 in Section 101(a)(26) of the Immigration and Nationality  
19 Act (8 U.S.C. 1101(a)(26))), except that this subsection  
20 (i-5) does not apply to any noncitizen who has been  
21 lawfully admitted to the United States under a  
22 non-immigrant visa if that noncitizen is:

23 (1) admitted to the United States for lawful  
24 hunting or sporting purposes;

25 (2) an official representative of a foreign  
26 government who is:

1 (A) accredited to the United States Government  
2 or the Government's mission to an international  
3 organization having its headquarters in the United  
4 States; or

5 (B) en route to or from another country to  
6 which that noncitizen is accredited;

7 (3) an official of a foreign government or  
8 distinguished foreign visitor who has been so  
9 designated by the Department of State;

10 (4) a foreign law enforcement officer of a  
11 friendly foreign government entering the United States  
12 on official business; or

13 (5) one who has received a waiver from the  
14 Attorney General of the United States pursuant to 18  
15 U.S.C. 922(y)(3);

16 (j) (Blank);

17 (k) A person who has been convicted within the past 5  
18 years of battery, assault, aggravated assault, violation  
19 of an order of protection, or a substantially similar  
20 offense in another jurisdiction, in which a firearm was  
21 used or possessed;

22 (l) A person who has been convicted of domestic  
23 battery, aggravated domestic battery, or a substantially  
24 similar offense in another jurisdiction committed before,  
25 on or after January 1, 2012 (the effective date of Public  
26 Act 97-158). If the applicant or person who has been

1 previously issued a Firearm Owner's Identification Card  
2 under this Act knowingly and intelligently waives the  
3 right to have an offense described in this paragraph (l)  
4 tried by a jury, and by guilty plea or otherwise, results  
5 in a conviction for an offense in which a domestic  
6 relationship is not a required element of the offense but  
7 in which a determination of the applicability of 18 U.S.C.  
8 922(g)(9) is made under Section 112A-11.1 of the Code of  
9 Criminal Procedure of 1963, an entry by the court of a  
10 judgment of conviction for that offense shall be grounds  
11 for denying an application for and for revoking and  
12 seizing a Firearm Owner's Identification Card previously  
13 issued to the person under this Act;

14 (m) (Blank);

15 (n) A person who is prohibited from acquiring or  
16 possessing firearms or firearm ammunition by any Illinois  
17 State statute or by federal law;

18 (o) A minor subject to a petition filed under Section  
19 5-520 of the Juvenile Court Act of 1987 alleging that the  
20 minor is a delinquent minor for the commission of an  
21 offense that if committed by an adult would be a felony;

22 (p) An adult who had been adjudicated a delinquent  
23 minor under the Juvenile Court Act of 1987 for the  
24 commission of an offense that if committed by an adult  
25 would be a felony;

26 (q) A person who is not a resident of the State of

1 Illinois, except as provided in subsection (a-10) of  
2 Section 4;

3 (r) A person who has been adjudicated as a person with  
4 a mental disability;

5 (s) A person who has been found to have a  
6 developmental disability;

7 (t) A person involuntarily admitted into a mental  
8 health facility; or

9 (u) A person who has had his or her Firearm Owner's  
10 Identification Card revoked or denied under subsection (e)  
11 of this Section or item (iv) of paragraph (2) of  
12 subsection (a) of Section 4 of this Act because he or she  
13 was a patient in a mental health facility as provided in  
14 subsection (e) of this Section, shall not be permitted to  
15 obtain a Firearm Owner's Identification Card, after the  
16 5-year period has lapsed, unless he or she has received a  
17 mental health evaluation by a physician, clinical  
18 psychologist, or qualified examiner as those terms are  
19 defined in the Mental Health and Developmental  
20 Disabilities Code, and has received a certification that  
21 he or she is not a clear and present danger to himself,  
22 herself, or others. The physician, clinical psychologist,  
23 or qualified examiner making the certification and his or  
24 her employer shall not be held criminally, civilly, or  
25 professionally liable for making or not making the  
26 certification required under this subsection, except for

1 willful or wanton misconduct. This subsection does not  
2 apply to a person whose firearm possession rights have  
3 been restored through administrative or judicial action  
4 under Section 10 or 11 of this Act.

5 Upon revocation of a person's Firearm Owner's  
6 Identification Card, the Illinois State Police shall provide  
7 notice to the person and the person shall comply with Section  
8 9.5 of this Act.

9 (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;  
10 102-645, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1030, eff.  
11 5-27-22; 102-1116, eff. 1-10-23.)

12 (430 ILCS 65/4.1 rep.)

13 Section 15. The Firearm Owners Identification Card Act is  
14 amended by repealing Section 4.1.

15 Section 20. The Criminal Code of 2012 is amended by  
16 changing Section 24-1 as follows:

17 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

18 Sec. 24-1. Unlawful use of weapons.

19 (a) A person commits the offense of unlawful use of  
20 weapons when he knowingly:

21 (1) Sells, manufactures, purchases, possesses or  
22 carries any bludgeon, black-jack, slung-shot, sand-club,  
23 sand-bag, metal knuckles or other knuckle weapon

1           regardless of its composition, throwing star, or any  
2           knife, commonly referred to as a switchblade knife, which  
3           has a blade that opens automatically by hand pressure  
4           applied to a button, spring or other device in the handle  
5           of the knife, or a ballistic knife, which is a device that  
6           propels a knifelike blade as a projectile by means of a  
7           coil spring, elastic material or compressed gas; or

8           (2) Carries or possesses with intent to use the same  
9           unlawfully against another, a dagger, dirk, billy,  
10          dangerous knife, razor, stiletto, broken bottle or other  
11          piece of glass, stun gun or taser or any other dangerous or  
12          deadly weapon or instrument of like character; or

13          (2.5) Carries or possesses with intent to use the same  
14          unlawfully against another, any firearm in a church,  
15          synagogue, mosque, or other building, structure, or place  
16          used for religious worship; or

17          (3) Carries on or about his person or in any vehicle, a  
18          tear gas gun projector or bomb or any object containing  
19          noxious liquid gas or substance, other than an object  
20          containing a non-lethal noxious liquid gas or substance  
21          designed solely for personal defense carried by a person  
22          18 years of age or older; or

23          (4) Carries or possesses in any vehicle or concealed  
24          on or about his person except when on his land or in his  
25          own abode, legal dwelling, or fixed place of business, or  
26          on the land or in the legal dwelling of another person as

1 an invitee with that person's permission, any pistol,  
2 revolver, stun gun or taser or other firearm, except that  
3 this subsection (a) (4) does not apply to or affect  
4 transportation of weapons that meet one of the following  
5 conditions:

6 (i) are broken down in a non-functioning state; or

7 (ii) are not immediately accessible; or

8 (iii) are unloaded and enclosed in a case, firearm  
9 carrying box, shipping box, or other container by a  
10 person who has been issued a currently valid Firearm  
11 Owner's Identification Card; or

12 (iv) are carried or possessed in accordance with  
13 the Firearm Concealed Carry Act by a person who has  
14 been issued a currently valid license under the  
15 Firearm Concealed Carry Act; or

16 (5) Sets a spring gun; or

17 (6) Possesses any device or attachment of any kind  
18 designed, used or intended for use in silencing the report  
19 of any firearm; or

20 (7) Sells, manufactures, purchases, possesses or  
21 carries:

22 (i) a machine gun, which shall be defined for the  
23 purposes of this subsection as any weapon, which  
24 shoots, is designed to shoot, or can be readily  
25 restored to shoot, automatically more than one shot  
26 without manually reloading by a single function of the

1 trigger, including the frame or receiver of any such  
2 weapon, or sells, manufactures, purchases, possesses,  
3 or carries any combination of parts designed or  
4 intended for use in converting any weapon into a  
5 machine gun, or any combination or parts from which a  
6 machine gun can be assembled if such parts are in the  
7 possession or under the control of a person;

8 (ii) any rifle having one or more barrels less  
9 than 16 inches in length or a shotgun having one or  
10 more barrels less than 18 inches in length or any  
11 weapon made from a rifle or shotgun, whether by  
12 alteration, modification, or otherwise, if such a  
13 weapon as modified has an overall length of less than  
14 26 inches; or

15 (iii) any bomb, bomb-shell, grenade, bottle or  
16 other container containing an explosive substance of  
17 over one-quarter ounce for like purposes, such as, but  
18 not limited to, black powder bombs and Molotov  
19 cocktails or artillery projectiles; or

20 (8) Carries or possesses any firearm, stun gun or  
21 taser or other deadly weapon in any place which is  
22 licensed to sell intoxicating beverages, or at any public  
23 gathering held pursuant to a license issued by any  
24 governmental body or any public gathering at which an  
25 admission is charged, excluding a place where a showing,  
26 demonstration or lecture involving the exhibition of

1 unloaded firearms is conducted.

2 This subsection (a) (8) does not apply to any auction  
3 or raffle of a firearm held pursuant to a license or permit  
4 issued by a governmental body, nor does it apply to  
5 persons engaged in firearm safety training courses; or

6 (9) Carries or possesses in a vehicle or on or about  
7 his or her person any pistol, revolver, stun gun or taser  
8 or firearm or ballistic knife, when he or she is hooded,  
9 robed or masked in such manner as to conceal his or her  
10 identity; or

11 (10) Carries or possesses on or about his or her  
12 person, upon any public street, alley, or other public  
13 lands within the corporate limits of a city, village, or  
14 incorporated town, except when an invitee thereon or  
15 therein, for the purpose of the display of such weapon or  
16 the lawful commerce in weapons, or except when on his land  
17 or in his or her own abode, legal dwelling, or fixed place  
18 of business, or on the land or in the legal dwelling of  
19 another person as an invitee with that person's  
20 permission, any pistol, revolver, stun gun, or taser or  
21 other firearm, except that this subsection (a) (10) does  
22 not apply to or affect transportation of weapons that meet  
23 one of the following conditions:

24 (i) are broken down in a non-functioning state; or

25 (ii) are not immediately accessible; or

26 (iii) are unloaded and enclosed in a case, firearm

1 carrying box, shipping box, or other container by a  
2 person who has been issued a currently valid Firearm  
3 Owner's Identification Card; or

4 (iv) are carried or possessed in accordance with  
5 the Firearm Concealed Carry Act by a person who has  
6 been issued a currently valid license under the  
7 Firearm Concealed Carry Act.

8 A "stun gun or taser", as used in this paragraph (a)  
9 means (i) any device which is powered by electrical  
10 charging units, such as, batteries, and which fires one or  
11 several barbs attached to a length of wire and which, upon  
12 hitting a human, can send out a current capable of  
13 disrupting the person's nervous system in such a manner as  
14 to render him incapable of normal functioning or (ii) any  
15 device which is powered by electrical charging units, such  
16 as batteries, and which, upon contact with a human or  
17 clothing worn by a human, can send out current capable of  
18 disrupting the person's nervous system in such a manner as  
19 to render him incapable of normal functioning; or

20 (11) Sells, manufactures, ~~delivers, imports,~~  
21 ~~possesses,~~ or purchases any ~~assault weapon attachment or~~  
22 ~~.50 caliber cartridge in violation of Section 24-1.9 or~~  
23 ~~any~~ explosive bullet. For purposes of this paragraph (a)  
24 "explosive bullet" means the projectile portion of an  
25 ammunition cartridge which contains or carries an  
26 explosive charge which will explode upon contact with the

1 flesh of a human or an animal. "Cartridge" means a tubular  
2 metal case having a projectile affixed at the front  
3 thereof and a cap or primer at the rear end thereof, with  
4 the propellant contained in such tube between the  
5 projectile and the cap; or

6 (12) (Blank); or

7 (13) Carries or possesses on or about his or her  
8 person while in a building occupied by a unit of  
9 government, a billy club, other weapon of like character,  
10 or other instrument of like character intended for use as  
11 a weapon. For the purposes of this Section, "billy club"  
12 means a short stick or club commonly carried by police  
13 officers which is either telescopic or constructed of a  
14 solid piece of wood or other man-made material; ~~or~~

15 ~~(14) Manufactures, possesses, sells, or offers to~~  
16 ~~sell, purchase, manufacture, import, transfer, or use any~~  
17 ~~device, part, kit, tool, accessory, or combination of~~  
18 ~~parts that is designed to and functions to increase the~~  
19 ~~rate of fire of a semiautomatic firearm above the standard~~  
20 ~~rate of fire for semiautomatic firearms that is not~~  
21 ~~equipped with that device, part, or combination of parts;~~  
22 ~~or~~

23 ~~(15) Carries or possesses any assault weapon or .50~~  
24 ~~caliber rifle in violation of Section 24-1.9; or~~

25 ~~(16) Manufactures, sells, delivers, imports, or~~  
26 ~~purchases any assault weapon or .50 caliber rifle in~~

1 ~~violation of Section 24-1.9.~~

2 (b) Sentence. A person convicted of a violation of  
3 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),  
4 subsection 24-1(a)(11), or subsection 24-1(a)(13), ~~or~~  
5 ~~24-1(a)(15)~~ commits a Class A misdemeanor. A person convicted  
6 of a violation of subsection 24-1(a)(8) or 24-1(a)(9) commits  
7 a Class 4 felony; a person convicted of a violation of  
8 subsection 24-1(a)(6), or 24-1(a)(7)(ii), ~~24-1(a)(7)(iii), or~~  
9 ~~24-1(a)(16)~~ or (iii) commits a Class 3 felony. A person  
10 convicted of a violation of subsection 24-1(a)(7)(i) commits a  
11 Class 2 felony and shall be sentenced to a term of imprisonment  
12 of not less than 3 years and not more than 7 years, unless the  
13 weapon is possessed in the passenger compartment of a motor  
14 vehicle as defined in Section 1-146 of the Illinois Vehicle  
15 Code, or on the person, while the weapon is loaded, in which  
16 case it shall be a Class X felony. A person convicted of a  
17 second or subsequent violation of subsection 24-1(a)(4),  
18 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10), ~~or 24-1(a)(15)~~ commits  
19 a Class 3 felony. A person convicted of a violation of  
20 subsection 24-1(a)(2.5) ~~or 24-1(a)(14)~~ commits a Class 2  
21 felony. The possession of each weapon ~~or device~~ in violation  
22 of this Section constitutes a single and separate violation.

23 (c) Violations in specific places.

24 (1) A person who violates subsection 24-1(a)(6) or  
25 24-1(a)(7) in any school, regardless of the time of day or  
26 the time of year, in residential property owned, operated

1 or managed by a public housing agency or leased by a public  
2 housing agency as part of a scattered site or mixed-income  
3 development, in a public park, in a courthouse, on the  
4 real property comprising any school, regardless of the  
5 time of day or the time of year, on residential property  
6 owned, operated or managed by a public housing agency or  
7 leased by a public housing agency as part of a scattered  
8 site or mixed-income development, on the real property  
9 comprising any public park, on the real property  
10 comprising any courthouse, in any conveyance owned, leased  
11 or contracted by a school to transport students to or from  
12 school or a school related activity, in any conveyance  
13 owned, leased, or contracted by a public transportation  
14 agency, or on any public way within 1,000 feet of the real  
15 property comprising any school, public park, courthouse,  
16 public transportation facility, or residential property  
17 owned, operated, or managed by a public housing agency or  
18 leased by a public housing agency as part of a scattered  
19 site or mixed-income development commits a Class 2 felony  
20 and shall be sentenced to a term of imprisonment of not  
21 less than 3 years and not more than 7 years.

22 (1.5) A person who violates subsection 24-1(a)(4),  
23 24-1(a)(9), or 24-1(a)(10) in any school, regardless of  
24 the time of day or the time of year, in residential  
25 property owned, operated, or managed by a public housing  
26 agency or leased by a public housing agency as part of a

1 scattered site or mixed-income development, in a public  
2 park, in a courthouse, on the real property comprising any  
3 school, regardless of the time of day or the time of year,  
4 on residential property owned, operated, or managed by a  
5 public housing agency or leased by a public housing agency  
6 as part of a scattered site or mixed-income development,  
7 on the real property comprising any public park, on the  
8 real property comprising any courthouse, in any conveyance  
9 owned, leased, or contracted by a school to transport  
10 students to or from school or a school related activity,  
11 in any conveyance owned, leased, or contracted by a public  
12 transportation agency, or on any public way within 1,000  
13 feet of the real property comprising any school, public  
14 park, courthouse, public transportation facility, or  
15 residential property owned, operated, or managed by a  
16 public housing agency or leased by a public housing agency  
17 as part of a scattered site or mixed-income development  
18 commits a Class 3 felony.

19 (2) A person who violates subsection 24-1(a)(1),  
20 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the  
21 time of day or the time of year, in residential property  
22 owned, operated or managed by a public housing agency or  
23 leased by a public housing agency as part of a scattered  
24 site or mixed-income development, in a public park, in a  
25 courthouse, on the real property comprising any school,  
26 regardless of the time of day or the time of year, on

1 residential property owned, operated or managed by a  
2 public housing agency or leased by a public housing agency  
3 as part of a scattered site or mixed-income development,  
4 on the real property comprising any public park, on the  
5 real property comprising any courthouse, in any conveyance  
6 owned, leased or contracted by a school to transport  
7 students to or from school or a school related activity,  
8 in any conveyance owned, leased, or contracted by a public  
9 transportation agency, or on any public way within 1,000  
10 feet of the real property comprising any school, public  
11 park, courthouse, public transportation facility, or  
12 residential property owned, operated, or managed by a  
13 public housing agency or leased by a public housing agency  
14 as part of a scattered site or mixed-income development  
15 commits a Class 4 felony. "Courthouse" means any building  
16 that is used by the Circuit, Appellate, or Supreme Court  
17 of this State for the conduct of official business.

18 (3) Paragraphs (1), (1.5), and (2) of this subsection  
19 (c) shall not apply to law enforcement officers or  
20 security officers of such school, college, or university  
21 or to students carrying or possessing firearms for use in  
22 training courses, parades, hunting, target shooting on  
23 school ranges, or otherwise with the consent of school  
24 authorities and which firearms are transported unloaded  
25 enclosed in a suitable case, box, or transportation  
26 package.

1           (4) For the purposes of this subsection (c), "school"  
2 means any public or private elementary or secondary  
3 school, community college, college, or university.

4           (5) For the purposes of this subsection (c), "public  
5 transportation agency" means a public or private agency  
6 that provides for the transportation or conveyance of  
7 persons by means available to the general public, except  
8 for transportation by automobiles not used for conveyance  
9 of the general public as passengers; and "public  
10 transportation facility" means a terminal or other place  
11 where one may obtain public transportation.

12           (d) The presence in an automobile other than a public  
13 omnibus of any weapon, instrument or substance referred to in  
14 subsection (a) (7) is prima facie evidence that it is in the  
15 possession of, and is being carried by, all persons occupying  
16 such automobile at the time such weapon, instrument or  
17 substance is found, except under the following circumstances:  
18 (i) if such weapon, instrument or instrumentality is found  
19 upon the person of one of the occupants therein; or (ii) if  
20 such weapon, instrument or substance is found in an automobile  
21 operated for hire by a duly licensed driver in the due, lawful  
22 and proper pursuit of his or her trade, then such presumption  
23 shall not apply to the driver.

24           (e) Exemptions.

25           (1) Crossbows, Common or Compound bows and Underwater  
26 Spearguns are exempted from the definition of ballistic

1 knife as defined in paragraph (1) of subsection (a) of  
2 this Section.

3 (2) The provision of paragraph (1) of subsection (a)  
4 of this Section prohibiting the sale, manufacture,  
5 purchase, possession, or carrying of any knife, commonly  
6 referred to as a switchblade knife, which has a blade that  
7 opens automatically by hand pressure applied to a button,  
8 spring or other device in the handle of the knife, does not  
9 apply to a person who possesses a currently valid Firearm  
10 Owner's Identification Card previously issued in his or  
11 her name by the Illinois State Police or to a person or an  
12 entity engaged in the business of selling or manufacturing  
13 switchblade knives.

14 (Source: P.A. 101-223, eff. 1-1-20; 102-538, eff. 8-20-21;  
15 102-1116, eff. 1-10-23.)

16 (720 ILCS 5/24-1.9 rep.)

17 (720 ILCS 5/24-1.10 rep.)

18 Section 30. The Criminal Code of 2012 is amended by  
19 repealing Sections 24-1.9 and 24-1.10.

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.